

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No: 1062/2022

Nigat Jehan

VERSUS

The Secretary Education (E & SE) and others

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Dated: 16/01/2023

*Nigat Jehan*

Appellant

Through

*Ashraf Ali Khattak*

Ashraf Ali Khattak

Advocate, Supreme Court

Pakistan.

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL PESHAWAR**

Misc: Application No. \_\_\_\_\_/2023

In

Service Appeal No.1062/2022

Nigat Jehan

VERSUS

Secretary Education (E & SE) and others

**APPLICATION UNDER RULE 6 (e) PROVISIO**  
**OF THE KHYBER PUKHTUNKHWA SERVICE**  
**TRINUAL RULES, 1974.**

Respectfully Sheweth:

1. That Rule 6 (e) of the Service Tribunal, 1974 provide that every memorandum of appeal shall be accompanied with copy of seniority list and other documents or other order of the component authority fixing seniority and in case the tribunal is satisfied that it is not possible for the appellant to produce any document referred to in clause (e) it may waive the provision of the said clause.
2. That appellant is an established senior to respondent No 4 & 5 right from the very initial appointment, but respondent No 4 & 5 has been promoted and whereas appellant deprived.

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/
3. That appellant made hectic efforts for obtaining the seniority list along with working paper prepared for promotion of S.D.M to S.S.T dated 11/01/2021 and 11/01/2022 .( Annexure "A").
  4. That appellant also submitted application before the Secretary Education and Director Education who vide letter dated 30/03/2022, reminder dated 14/04/2022 advised the D.E.O (female) to provide the appellant with required documents. (Annexure "B").
  5. That no heed was paid to the legitimate request of the appellant and appellant was constrained to file complaint before the Commissioner R.T.I. (Annexure "C").
  6. That the Hon'ble Commissioner R.T.I vide letter dated 15/12/2022 directed the D.E.O (female) to provide the requisite documents within seven days but with no response. Appellant again approached Commissioner R.T.I, who vide letter dated 02/01/2023 again directed the D.E.O (female) to provide the documents within five days. (Annexure "D").
  7. That Appellant has made hectic efforts for obtaining the required documents but the same has not been provided by the D.E.O female till the date.

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It is, therefore, requested that on acceptance of this application, the this Hon'ble Tribunal may graciously be pleased to waive the provision of the seniority list and working paper; prepared for promotion of S.D.M to the post of S.S.T dated 11/01/2021 and 11/01/2022 and hear the appeal on available documents.

This Hon'ble Tribunal may also graciously be pleased to requisition the required documents from the respondent in best interest of Justice.

Dated: 16/01/2023

*Nigat Jehan*

Appellant

Through

*Ashraf Ali Khattak*

Ashraf Ali Khattak  
Advocate, Supreme Court of  
Pakistan.

Affidavit:

I, Nigat Jehan W/o Professor Engr. Noor ul Qamar S.D.M GGHS Achini Payan Peshawar do hereby solemnly affirms and declare on Oath that the contents of the instant application are true and correct to the best of my knowledge and belief and nothing has been concealed from the notice of this Hon'ble Tribunal.

*Nigat Jehan*

Deponent

The District  
Education Officer (F)  
Distt. Peshawar.

Anx- "A"

4

Subject: Provision of final Seniority List of DM (Peshawar) for the year 2011 and 2012 along with working papers of promotion of DM to SDM carried out vide order dated 21-02-2012 and Seniority list of SDM (Peshawar) for the year 2021 and 2022 along with working papers prepared for promotion of SDM to SST dated 11-01-2021 and 11-01-2022.

Respected Madam,

With due respect, it is humbly submitted that I have impugned promotion order of SDM to SST dated 11-01-2021 and 11-01-2022 before the Honourable KP Service Tribunal, Peshawar in service Appeal # 1062/2022. The Honourable Tribunal has directed the appellant/applicant for submission of Seniority list of DM & SDM mentioned in the heading of the instant application.

It is therefore, very humbly requested that documents mentioned in the heading of the instant application may kindly be provided as early as possible under the law and rules.

Dated, 27-10-2022

4643  
27/10/22

Yours faithfully  
A. Jahan  
Nighat Jahan W/O Mior of  
SDM - GGHS  
Achinn, Peshawar  
Cell # 0300-9355468.

The District  
Education Officer (F)  
Datta Peshawar.

Annex - "A"

4

Subject: Provision of final seniority list of DM (Peshawar) for the year 2011 and 2012 along with working papers of promotion of DM to SDM carried out vide order dated 21-02-2012 and seniority list of SDM (Peshawar) for the year 2021 and 2022 along with working paper prepared for promotion of SDM to SST dated 11-01-2021 and 11-01-2022.

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It is therefore, very humbly requested that documents mentioned in the heading of the instant application may kindly be provided as early as possible under the law and rules.

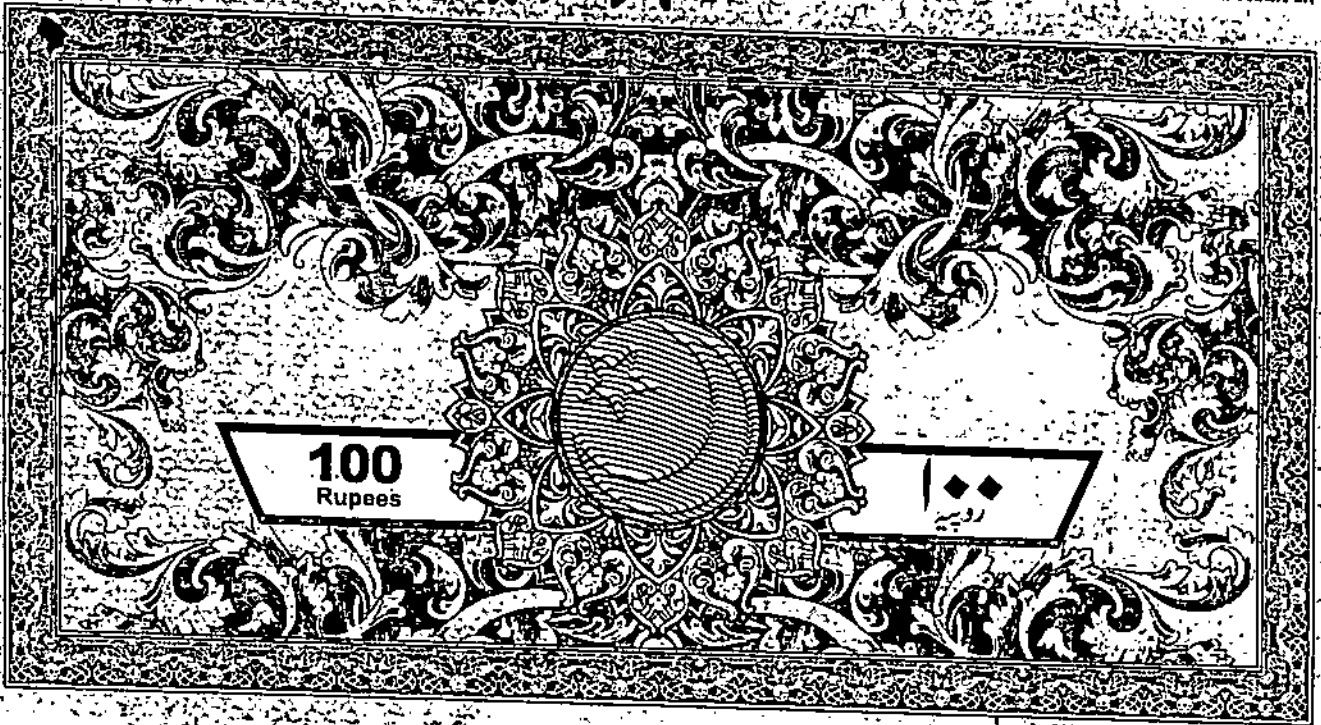
Dated: 27-10-2022

4643  
27/10/22

Yours faithfully  
Ajaz Khan  
Ajaz Khan w/o Moral  
SDM - GGHS  
Achinn Pajpur, Peshawar  
Cell # 0300-9355468.



100



بیان حلی

مکہ سعادت نگہت جہاں زورم سیر و مسیر نور العزم سائیں  
 حیات آبادک در حلقہ بیان کرتی ہوں کہ من عالفہ صماہ -  
 حسین محمود خواجہ سردیس ٹریبیونل میں اپیل نمبر  $\frac{1062}{22}$  داخل کی ہے  
 جہاں پر میں نے آجیما سیر و مسیر کی اپیل کی ہے۔ حلیہ اقرار کرتی  
 کہ من عالفہ نے اپیل دائر کرنے سے پہلے ڈسٹرکٹ ایجوکیشن آفیسر  
 میں مسلسل کئی مہینے تک سنیارٹی لسٹ جیپارٹ اسٹڈیا کرتی  
 تھیں جوئی شوالی اپیل ہوئی۔ لیکن وجہ میں سردیس ٹریبیونل میں  
 بغیر سنیارٹی لسٹ اپیل دائر کر لی۔ اپیل دائر کرنے کے بعد  
 مورخ  $\frac{16}{22}$  کو بحوالہ ڈائری میں نمبر 4443 ڈی ائی او (ایچ) فائنل سنیارٹی  
 لسٹ جیپارٹ میں آئی اسٹڈی کی۔ لیکن وہ جیپارٹ میں تکمیل سے  
 من عالفہ مابوس ہو کر گئے۔ RTI کے پاس درخواست جمع کی اور  
 RTI نے 15 دسمبر 2022 کو اور 23 جنوری 2023 کو بار بار بھیجی لیکن جواب  
 مندرجہ بالا منظور نہ کیا گیا۔

المرفوع  $\frac{01}{3}$

Ajehan  
الحی



Anx-B

To

1. The secretary, ~~Senior~~ Education  
Peshawar.
2. The District Education-Officer (Female)  
District, Peshawar.
3. The Madam GGHS Achini Payan  
Peshawar.

6

Through: Proper Channel

Subject: CORRECTION IN THE SENIORITY LIST OF FEMALE SENIOR DRAWING  
MASTER (SDM) TEACHERS OF DISTRICT PESHAWAR

R/Sir,

Reference is made of the application submitted in the DEO Office (F/M) on the subject matter along with relative documents and service Book on 12/12/2019 in the District Education Office (female) Peshawar (Copy Enclosed) but the reply is still awaited on the subject matter (**Annexure-1**). The details are as under:

A. I would like to bring in your kind notice that I have been appointed as CT BPS-9 Vide Notification No. 2530, dated 03/09/1996 (Annexure-2) and assumed the charge at G.G.H.S BADABER Dated 05/09/1996 (Charge report attached for ready reference Annexure-3).

B. I have been appointed as Drawing Master (DM) Vide Notification No. 9857-9917 /11, dated 26/06/1997 (Annexure-4) and assumed the charge at GGMS MALOGO Peshawar (charge report is attached as annexure -5). However, in the said Notification issued by Divl. Directorate of Education School Peshawar, Division Peshawar on 26/06/1997, my **Serial No. is 06**, REHANA KHATOON D/O HABIB UR REHMAN at **Sr. No. 11** and SHAZIA BIBI at **Sr. No. 15**.

It is further added that we have been promoted to Senior Drawing Master (SDM) Post on the same date Vide Notification No. 4007-13/file NO.2/Promotion Senior DM BPS-16, dated 21/02/2012 (Annexure-6). However, in this notification, my name has been placed at serial No.22 and declared junior than shazia bibi D/O Karam Ilahi at S.No 16 and Rehana Khatoon D/O Habib ur Rehaman at S.NO 17 and later on promoted SHAZIA BIBI on SST Post ignoring my name in the seniority list. In this regard, I have already been submitted the application for the correction of seniority list on 12/12/2019 in the District Education Office (female) Peshawar (Annexure-1) but the reply is still awaited.

C. Now again my name has been ignored for the promotion to the post of SST and promoted my junior REHANA KHATOON S/O HABIB UR REHMAN ON SST Post vide notification no. 650-83, dated 11/01/2022 (Annexure-7).



D: Date of first appointment of the officers are:

- |  |            |
|--|------------|
| i. Nighat Jehan D/O Misry Khan         | 05/09/1996 |
| ii. Rehana Khatoon D/O Habib ur Rehman | 09/08/1997 |
| iii. Shazia Bibi D/O Karam Ilahi       | 26/06/1997 |

E: Date of promotion of the Officers as S.DM (Female) vide Notification No 4007-12

Dated 21/02/2012 (Annexure-6) are the same:

- |  |            |
|--|------------|
| i. Nighat Jehan D/O Misry Khan         | 21/02/2012 |
| ii. Rehana Khatoon D/O Habib ur Rehman | 21/02/2012 |
| iii. Shazia Bibi D/O Karam Ilahi       | 21/02/2012 |

F: Date of taking over charge as SDM in Peshawar District (Annexure-8):

- |  |                                 |
|--|---------------------------------|
| i. Nighat Jehan D/O Misry Khan         | 14/05/1997 (As per senior list) |
| ii. Rehana Khatoon D/O Habib ur rehman | 16/08/1997 (As per senior list) |
| iii. Shazia Bibi D/O Karam Ilahi       | 30/06/1997 (As per senior list) |

G: My age is more than Rehana Khatoon & Shazia Bibi as per our Date of Birth:

- |   |            |
|---|------------|
| i. DOB of Nighat Jehan D/O Misry Khan         | 15/04/1973 |
| ii. DOB of Rehana Khatoon D/O Habib ur Rehman | 09/07/1975 |
| iii. DOB of Shazia Bibi D/O Karam Ilahi       | 01/02/1975 |

H: Professional Qualification:

- |  |            |
|--|------------|
| i. Nighat Jehan D/O Misry Khan         | (MED & MA) |
| ii. Rehana khatoon D/O Habib ur Rehman | (BED & MA) |
| iii. Shazia Bibi D/O Karam Ilahi       | (MED & MA) |

In the light of the above facts & figures it is requested that I may please be placed at my correct position in the Seniority lists and consider me for promotion from the back date (Before SHAZIA BIBI and REHANA KHATOON) as per seniority list (Annexure-4).

*Nighat Jehan*  
14/3/2022

Yours Obediently,

Mrs. Nighat Jehan D/o Misri Khan  
W/O Prof. Engr. Noor Ul Qamar  
SDM, Achini Payan, Peshawar.



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

No. 4517 / F.No. 301/Vol-III/F/Appeal/Peshawar

Dated Peshawar the 30/03 /2022

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To

The District Education Officer,  
(Female) Peshawar

Subject:-

CORRECTION IN THE LIST OF FEMALE SR.DM.

Memo:

I am directed to refer to the subject cited above and to enclose herewith a copy of appeal in r/o Mst. Nighat Jehan SDM, Achini-Payan Peshawar and to ask you to submit detail report views/comments to this Directorate to proceed further into the matter.

Endst No. \_\_\_\_\_

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar.

*[Signature]* 29/3/2022  
Assistant Director (Female)  
E&SE Khyber Pakhtunkhwa.

*[Signature]* 29/3/2022  
Assistant Director (Female)  
E&SE Khyber Pakhtunkhwa.



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

9

Reminder-I

No. 8048 /FNo.301/Vol-III/Appeal/Peshawar  
Dated Peshawar the 14/4 /2022

To:

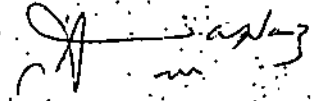
The District Education Officer,  
(Female) Peshawar

Subject:-

CORRECTION IN THE LIST OF FEMALE SR.DM.

Memo:

I am directed to refer to this officer letter No.4517 dated 30.3.2022 on the subject cited above the report of Mst. Nighat Jehan Sr.DM, Achini Payan Peshawar is still awaited at your end, to ask you once again to submit report to this directorate to proceed further into the matter.

  
Assistant Director Female  
(E&SE) Khyber Pakhtunkhwa

14/4  
2022

Enclst No. 1

Copy of the above is forwarded to the:

1. PA to Director E&SE KPK Peshawar.

Assistant Director (Female)  
E&SE Khyber Pakhtunkhwa

All Reminders.DocxD:\Reminder\All Reminders.docx

0300 9355 468  
C/O

Anx-C

10

To

The,  
Commissioner,  
Right to Information,  
Khyber Pakhtunkhwa, Peshawar.

KP-RTI COMMISSION
Diary No: <u>3076</u>
Date: <u>11-11-2022</u> e/c
Section: _____

Subject:

Application for directing the District Education Officer (Female) (E & SE), Peshawar for providing attested copies of the Seniority Lists of DM (Distt: Peshawar) for the years 2011 and 2012 alongwith working papers of promotion from the post of DM to SDM carried out vide order dated 21-02-2012 and Seniority List of SDM (Distt: Peshawar) for the years 2021 and 2022 alongwith working papers prepared for the promotion of SDM to the post of SST dated 11-01-2021 and 11-04-2022.

Respected Sir,

The applicant humbly submits as to the following:

1. That applicant has filed Service Appeal No.1062/2022 before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in which 06-12-2022 is fixed for further legal proceedings.
2. That the Hon'ble Service Tribunal has directed the applicant to submit documents mentioned in the heading of the application before 06-12-2022 for onward proceedings in the case.
3. That in pursuance of the direction of the Hon'ble Service Tribunal, applicant vide dairy No.4643 dated 27-10-22 submitted application before the Worthy District Education Officer (Female), Peshawar for the needful to be done, but the office of the District Education has paid no heed to the legitimate request of the applicant till the date.
4. That the documents mentioned in the heading of the application are necessary for the just conclusion and decision of the Service Appeal and the production of such documents also lie on the shoulder of the applicant.

In view of the above submissions, it is humbly requested before Your kind Honour that Your Honour may graciously be pleased to direct the DEO (F), Peshawar to provide the applicant with documents mentioned in the heading of the application forthwith without loss of time.

Your faithfully

*Nigat Jehan*  
Nigat Jehan W/O Noor Ul Qamar  
SDM, GGHS, Achini, Pajani,  
Peshawar

CNIC No.17301-1241387-0

Cell No.0300-9355468.

Dated: 11/11/2022



Annex-D

GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION COMMISSION  
Near BRT Abdara Station, Arbab Colony, Opposite Jabar  
Flats, University Road, Peshawar.  
Email: [complaints.kprti@kp.gov.pk](mailto:complaints.kprti@kp.gov.pk)  
Phone: 091-9216557  
Fax: 091-9216561

No: RTIC/AR/1-9843/22 / 12473-7

Dated: 15 DEC 2022

To

The District Education Officer (Female)/PIO,  
Peshawar.

Subject:

COMPLAINT AGAINST NON-SUPPLY OF INFORMATION  
(COMPLAINT NO: 9843)

Memo:

I am directed to state that a citizen Mst. Nighat Jaman has filed an information request with your Office for seeking some information, however the same was not provided to her within prescribed time limit, therefore, she has filed a complaint before the KP Information Commission. (copy attached)

It is to direct to provide copies of the both the Seniority Lists of D.M (Peshawar) 2011 – 2012 & S.D.M (Peshawar) 2021 – 2022 to the complainant within seven working days of the receipt of this letter under intimation to the KP Information Commission.

It is further direct to proactively disclose the requisite information.

Assistant Registrar,  
KP Information Commission,  
Peshawar.

Copy to:-

1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
2. Mst. Nighat Jaman (Complainant)

Assistant Registrar,  
KP Information Commission,  
Peshawar.

Assistant Registrar,  
KP Information Commission,  
Peshawar.

- 1. PS to Chief Information Commissioner, KP Information Commission, Peshawar.
- 2. Mst. Nighat Jaman (Complainant)

Copy to:-

Assistant Registrar,  
KP Information Commission,  
Peshawar.

It is to direct that the necessary compliance is required within five days positively.  
I am directed to refer the office letter No. RTI/A/1-9843/22/12473-75 dated 15-12-2022, and to state that the reply is still awaited.

**COMPLAINT AGAINST NON-SUPPLY OF INFORMATION**  
**(COMPLAINT NO: 9843)**

Subject:  
Memo:

The District Education Officer (Female) (DIO),  
Peshawar.

To

No. RTI/A/1-9843/22  
Dated 02 JAN 2023

12736  
38

RECEIVED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INFORMATION COMMISSION  
Near BHA Abusia Station, Arab Colony, Opposite Jaber  
Park, University Road, Peshawar.  
Email: [cominfo@kpk.gov.pk](mailto:cominfo@kpk.gov.pk)  
Phone: 91-09116457  
Fax: 91-09116461

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